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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KELVIN GORDON, an individual; LILITH MCGRATH, an individual; KIANA FULLMORE, an individual; and the AMERICAN CIVIL LIBERTIES UNION OF NEVADA FOUNDATION, INC., a domestic nonprofit corporation,

Plaintiffs,

V.

THE CITY OF LAS VEGAS, a local municipal government entity; and Fremont STREET EXPERIENCE, LLC, a domestic limited liability company;

Defendants.

Case No. 2:22-cv-01446-RFB-EJY

**STIPULATION AND ORDER
EXTENDING TIME FOR PARTIES TO
SUBMIT PROPOSED DISCOVERY
PLAN AND SCHEDULING ORDER**

(FIRST REQUEST)

STIPULATION

The parties hereby agree and stipulate as follows:

24 1. Plaintiffs filed their Complaint for Declaratory and Injunction Relief on September
25 6, 2022 (ECF No. 1).

26 2. On September 19, 2022, Plaintiffs filed their Ex Parte Motion for Temporary
27 Restraining Order and Motion for Preliminary Injunction (ECF Nos. 7 and 8, respectively).

3. On September 30, 2022, Defendant The Fremont Street Experience Limited

1 Liability Company (“FSE”) filed its Opposition to Motion for Temporary Restraining Order and
 2 Request for Expedited Discovery (ECF Nos. 15 and 19, respectively).

3 4. On October 3, 2022, Defendant City of Las Vegas (“CLV”) filed its Joinder to
 4 Opposition to Motion for Temporary Restraining Order (ECF No. 26).

5 5. On October 5, 2022, Plaintiffs filed their Reply to FSE’s Opposition to Motion for
 6 Temporary Restraining Order and Preliminary Injunction (ECF No. 32).

7 6. On October 8, 2022, FSE filed its Motion for Leave to File Supplemental Briefing
 8 on Plaintiffs’ Motion for Temporary Restraining Order (ECF No. 37).

9 7. On October 10, 2022, CLV filed its Answer to Verified Complaint for Declaratory
 10 and Injunction Relief (ECF No. 38).

11 8. On October 14, 2022, this Court entered a Stipulation and Order to Extend Deadline
 12 for FSE to Respond to Plaintiffs’ Complaint (ECF No. 41).

13 9. On October 17, 2022, Plaintiffs filed their Opposition to FSE’s Motion for Leave to
 14 File Supplemental Briefing on Plaintiffs’ Motion for Temporary Restraining Order (ECF No. 44).

15 10. On October 18, 2022, FSE filed its Reply Memorandum in Support of Motion for
 16 Leave to File Supplemental Briefing on Plaintiffs’ Motion for Temporary Restraining Order (ECF
 17 No. 46).

18 11. On October 19, 2022, FSE filed its Notice of Additional Facts re: Possible Recusal
 19 (ECF No. 47).

20 12. On October 19, 2022, CLV filed its Joinder to Reply Memorandum in Support of
 21 Motion for Leave to File Supplemental Briefing on Plaintiffs’ Motion for Temporary Restraining
 22 Order (ECF No. 48).

23 13. On October 20, 2022, FSE filed its Answer to Plaintiffs’ Verified Complaint (ECF
 24 No. 49).

25 14. On October 20, 2022, CLV filed its Joinder to Motion for Leave to File
 26 Supplemental Briefing on Plaintiffs’ Motion for Temporary Restraining Order (ECF No. 50).

27 15. The hearing related to the Notice of Additional Facts re: Possible Recusal (the
 28 “Notice”) was set for October 28, 2022 (ECF No. 52) was subsequently vacated (ECF No. 55). The

1 hearing on the Notice has yet to be rescheduled.

2 16. The current deadline for the parties to submit a proposed Discovery Plan and
3 Scheduling Order is currently November 24, 2022.

4 17. The parties agree and respectfully request that this deadline be extended to January
5 9, 2023. By extending this deadline, this will allow the parties to fashion a discovery plan and
6 scheduling order after the Court rules on all pending motions.

7 18. This is the first request for an extension of this deadline.

8 19. This stipulation is made in good faith and the request is not made in attempt to delay
9 proceedings.

10 DATED this 15th day of November, 2022.

DATED this 15th day of November, 2022.

11 /s/ Patrick J. Reilly
12 Patrick J. Reilly, Esq.
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14 BROWNSTEIN HYATT FARBER
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18 *Attorneys for The Fremont Street Experience
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20 /s/ Christopher M. Peterson
21 Christopher M. Peterson, Esq.
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25 601 South Rancho Drive, Suite B-11
26 Las Vegas, NV 89106
27 *Attorneys for Plaintiffs*

28 DATED this 15th day of November, 2022.

29 /s/ Philip R. Byrnes
30 Philip R. Byrnes, Esq.
31 Bryan K. Scott, Esq.
32 John A. Curtas, Esq.
33 City Attorney's Office – Civil Division
34 495 South Main Street, Sixth Floor
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36 *Attorneys for The City of Las Vegas*

37 **ORDER**

38 **IT IS SO ORDERED.**

39 DATED this _____ day of November, 2022.

40

41 UNITED STATES MAGISTRATE JUDGE